

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

Commonwealth of Pennsylvania,	:	
by D. Michael Fisher, Attorney	:	
General,	:	
	:	
Plaintiff	:	
	:	
v.	:	No. 436 M.D. 2002
	:	
Sekap S.A. Greek Cooperative	:	
Cigarette Manufacturing Company,	:	
Defendant	:	

DECREE NISI

AND NOW, this 14th day of April, 2003, pursuant to Section 4 (c) and (d) of the Tobacco Settlement Agreement Act (Act), Act of June 22, 2000, P.L. 54, 35 P.S. §§5674(c) and (d), it is hereby ordered as follows:

1. Beginning on April 30, 2003, all SEKAP S.A. Greek Cooperative Cigarette Manufacturing Company (SEKAP) tobacco products are enjoined from sale in the Commonwealth of Pennsylvania for a period of two (2) years.

2. Beginning on April 30, 2003, the Commonwealth of Pennsylvania is granted the right to confiscate and destroy any and all SEKAP's tobacco products offered for sale in Pennsylvania for a period of two (2) years.

3. Within fifteen (15) days from the date of this Order:

a. SEKAP shall place \$230,090.40 in a qualified escrow fund, as that term is defined in Section 3 of the Act, 35 P.S. §5673, for the benefit of the Commonwealth of Pennsylvania for the sale of its cigarettes in Pennsylvania in the year 2000;

b. SEKAP shall pay a civil penalty in the amount of \$690,271.20 for its knowing failure to establish a qualified escrow for the sale of its tobacco products in Pennsylvania during the year 2000;

c. SEKAP shall place \$347,892.23 in a qualified escrow fund, as that term is defined in Section 3 of the Act, 35 P.S. §5673, for the benefit of the Commonwealth of Pennsylvania for the sale of its cigarettes in Pennsylvania in the year 2001;

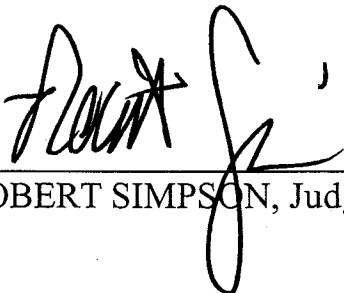
d. SEKAP shall pay a civil penalty in the amount of \$1,043,676.69, for its knowing failure to establish a qualified escrow for the sale of its tobacco products in Pennsylvania during the year 2001;

e. SEKAP shall give written notice to all its distributors, agents and sellers that SEKAP's tobacco products may not be offered for sale in the Commonwealth of Pennsylvania for two (2) years;

f. SEKAP shall pay costs to the Commonwealth in the amount of \$3,783.55;

g. SEKAP shall pay attorney fees to the Commonwealth in an amount set forth in a bill of costs filed within 15 days of the date of this Decree.

4. The Chief Clerk shall enter this Decree as a Final Decree unless any party pursues timely Post Trial Relief.



ROBERT SIMPSON, Judge

Certified from the Record

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and Order Exit